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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):)
Frick et al.)
Serial No: 09/905,736) Title: Optical Switch with
Filed: July 13, 2001) Moveable Holographic Optical
Element)

**TRANSMITTAL OF EXECUTED DECLARATION
AND SUBSTITUTE FIGURES**

***Commissioner for Patents
Washington, D.C. 20231***

Attention: BOX MISSING PART

Sir:

Submitted herewith is an executed Declaration and thirteen (13) sheets of substitute drawings for filing in the above-identified application, in response to the Notice to File Missing Parts issued by the Patent and Trademark Office on August 29, 2001.

CERTIFICATE OF MAILING (37 CFR 1.8)

I hereby certify that this paper and the documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, postage prepaid, on October 17, 2001 in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

Paul B. Stephens
Paul B. Stephens

Also enclosed is a copy of the Notice together with our check in the amount of \$130.00 in payment of the fee.

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 13-2855. A copy of this request is enclosed.

Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN
6300 Sears Tower
233 South Wacker Drive
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(312) 474-6300

By:


Paul B. Stephens
Reg. No: 47,970

October 17, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/905,736	07/13/2001	Roger L. Frick	30203/37263

04743
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CONFIRMATION NO. 5345

FORMALITIES LETTER



OC000000006494556

Date Mailed: 08/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. *Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).*

Docketed: *PT2916*

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

Docketed: *(d) 2916*

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

01/09/2002 NMDHAMM1 00000082 09905736

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A copy of this notice MUST be returned with the reply.

AA
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE